

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

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CIVIL ACTION NO. 04CV11865JLT

Sprint Spectrum L.P., Plaintiff v. City of Gloucester, City Council of the City of Gloucester and Vito J. Calomo, Joseph A. Ciolino, John Gus Foote, Dean W. Harrison, Abdullah A. Khambaty, Sefatia A. Romeo, Edward St. Peter, Jr., Alphonse J. Swekla and Jeffrey T. Worthington, in in their capacities as members of the City Council of the City of Gloucester, Defendants	) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) )
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**ANSWER OF THE DEFENDANTS**

The Defendants, the City of Gloucester, City Council of the City of Gloucester and Vito J. Calomo, Joseph A. Ciolino, John Gus Foote, Dean W. Harrison, Abdullah A. Khambaty, Sefatia A. Romeo, Edward St. Peter, Jr., Alphonse J. Swekla and Jeffrey T. Worthington, in their capacities as members of the City Council, hereby answer the above referenced complaint:

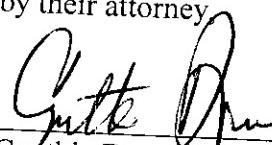
1. Defendants are without sufficient knowledge to admit or deny the allegation and call upon Plaintiff to prove the same.
2. Defendants admit the allegation.
3. Defendants admit the allegation.
4. Defendants admit the allegation with the assumption that the Plaintiff is referring to Councilor Jeffrey T. Worthley as there is no City Councilor for the City of Gloucester named Worthington.
5. Defendants admit the allegation.
6. Defendants admit the allegation.
7. Defendants admit the allegation.

8. Defendants are without sufficient knowledge to admit or deny the allegation and call upon Plaintiff to prove the same.
9. Defendants are without sufficient knowledge to admit or deny the allegation and call upon Plaintiff to prove the same.
10. Defendants are without sufficient knowledge to admit or deny the allegation and call upon Plaintiff to prove the same.
11. Defendants are without sufficient knowledge to admit or deny the allegation and call upon Plaintiff to prove the same.
12. Defendants deny the allegation. The Plaintiff failed to adequately establish the existence of a substantial and significant gap in wireless coverage.
13. Defendants deny the allegation. The Plaintiff failed to establish that 50 New Way Lane was the most appropriate location for the installation of a wireless telecommunications facility.
14. Defendants deny the allegation.
15. Defendants admit the allegation.
16. A response by the Defendants is not required.
17. Defendants admit the allegation.
18. Defendants admit the allegation.
19. Defendants deny the allegation.
20. Defendants admit the allegation.
21. Defendants admit the allegation.
22. Defendants deny the allegation.
23. Defendants deny the allegation.
24. Defendants deny the allegation.
25. Defendants deny the allegation.
26. Defendants deny the allegation.
27. A response by the Defendants is not required.
28. Defendants admit the allegation.
29. Defendants admit the allegation.
30. Defendants admit the allegation.

- 31. Defendants deny the allegation.
- 32. Defendants deny the allegation.
- 33. Defendants deny the allegation and request this Court to uphold the decision of the City Council in denying the Plaintiff's application for a Special Council Permit.
- 34. A response by the Defendants is not required.
- 35. Defendants admit the allegation.
- 36. Defendants deny the allegation.
- 37. Defendants deny the allegation.
- 38. Defendants deny the allegation.
- 39. Defendants deny the allegation.
- 40. A response by the Defendants is not required.
- 41. A response by the Defendants is not required.
- 42. Defendants admit the allegation.
- 43. Defendants deny the allegation.
- 44. Defendants deny the allegation.

WHEREFORE, the Defendants, the City of Gloucester, City Council of the City of Gloucester and Vito J. Calomo, Joseph A. Ciolino, John Gus Foote, Dean W. Harrison, Abdullah A. Khambaty, Sefatia A. Romeo, Edward St. Peter, Jr., Alphonse J. Swekla and Jeffrey T. Worthington, in their capacities as members of the City Council, hereby ask this Court to uphold its decision to deny the Plaintiff's application for a Special Council Permit and grant such other relief as the Court deems meet and just.

Defendants,  
by their attorney



Cynthia Dunn, BBO# 645774  
 Assistant General Counsel  
 Law Department, City Hall  
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 Gloucester, MA 01930  
 (978) 281-9727

Dated: September 8, 2004

*I hereby certify that a true copy of the above document was served upon (each party appearing pro se and) the attorney of record for each other party by mail on*

*Cynthia Dunn*  
*9/8/04*